

THE LAW OFFICE OF CATHERINE PARK

2300 M STREET, NW

STREET

DOCKET FILE COPY ORIGINAL
WASHINGTON, D.C. 20037

PHONE: (202) 973-6479
FAX: (866) 747-7566

E-MAIL: CATHERINE.PARK@CPARKLAW.COM
WEBSITE: WWW.CPARKLAW.COM

February 19, 2008

FILED/ACCEPTED

FEB 19 2008

Federal Communications Commission
Office of the Secretary

Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue, NE
Suite 110
Washington, D.C. 20002

RE: Notice of Progress; EB Docket No. 07-197

Dear Madame Secretary:

Enclosed for filing on behalf of parties Kurtis J. Kintzel, Keanan Kintzel, and all other Entities by which they do business before the Federal Communications Commission, is the original and 6 copies of the Defendants' Notice of Progress Being Made on Answers to Enforcement Bureau's First Sets of Interrogatories and Requests for Production of Documents, in the above-referenced matter.

Sincerely,

Catherine Park, Esq.
Catherine Park, Esq.

Enclosures: Original + 6 Copies

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List ABCDE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILED/ACCEPTED

FEB 19 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Kurtis J. Kintzel, Keanan Kintzel, and all) EB Docket No. 07-197
Entities by which they do business before the)
Federal Communications Commission)
)
Resellers of Telecommunications Services)

To: Presiding Officer, Richard L. Sippel
(Chief ALJ)

DEFENDANTS' NOTICE OF PROGRESS BEING MADE ON ANSWERS TO
ENFORCEMENT BUREAU'S FIRST SETS OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS

Kurtis J. Kintzel, Keanan Kintzel, and all Entities by which they do business before the Federal Communications Commission ("the Kintzels, et al."), by and through undersigned counsel, hereby submit this Notice that steady progress is being made by Defendants to comply with the Enforcement Bureau's First Sets of Interrogatories and Requests for Production of Documents, and that compliance with both discovery requests should be complete within the next two weeks.

The Bureau's First Sets of Interrogatories and Requests for Production of documents are so extensive that it would be impossible to provide complete and meaningful responses in 14 days and 10 days, as specified by 47 C.F.R. § 1.323(b) and § 1.325(a)(2), respectively. The Bureau's First Set of Interrogatories consists of 52 detailed items, and the First Sets of Requests for Production of Documents consist of 61 voluminous requests. Rather than rushing to comply with the 14- and 10-day deadlines, which might have resulted in incomplete responses that

would not serve the purposes of discovery for either side, Defendants sought a Consent Motion with the Bureau to extend the due date for responses to 30 days, such that both the Answers and Document Production would be due on March 6, 2008. The Bureau agreed to the Consent Motion, which was filed on February 6, 2008.¹

The fact that Defendants sought the Consent Motion on the very day that the discovery requests were filed by the Bureau (February 5, 2008²), and filed the Consent Motion on the very next day (February 6, 2008), is evidence of Defendants' diligence and intent to comply with the discovery requests.

In addition, the Joint Status Report filed by the Bureau and Defendants on February 11, 2008, requested a nine-month discovery schedule. A two-week extension of time to respond to the Bureau's initial Interrogatories and Requests for Production of Documents, in view of the requested nine-month discovery schedule, is not unreasonable by any standard.

Wherefore, Defendants submit that steady progress is being made on compliance with the discovery requests, and that full compliance with both discovery requests should be expected on or before March 6, 2008.

Respectfully Submitted,



Catherine Park (DC Bar # 492812)
The Law Office of Catherine Park
2300 M Street, NW, Suite 800
Washington, D.C. 20037

¹ See Consent Motion, filed February 6, 2008.

² See Enforcement Bureau's First Set of Interrogatories to All Defendants, and Enforcement Bureau's First Set of Requests for Production of Documents to All Defendants, both filed on February 5, 2008.

Phone: (202) 973-6479

Fax: (866) 747-7566

Email: contact@cparklaw.com

Certificate of Service

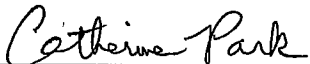
I HEREBY CERTIFY that a true and correct copy of the foregoing was sent for filing on this 19th day of February 2008, by hand delivery, to the following:

Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue, NE
Suite 110
Washington, D.C. 20002

And served by U.S. Mail, First Class, on the following:

Richard L. Sippel, Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, SW, Room 1-C861
Washington, D.C. 20554

Hillary DeNigro, Chief
Michele Levy Berlove, Attorney
Investigations & Hearings Division, Enforcement Bureau
Federal Communications Commission
445 12th Street, SW, Room 4-C330
Washington, D.C. 20554



Catherine Park